

ORIGINAL  
APPLICATION FOR PERMIT

Serial No. 5140

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUL -6 1918  
Returned to applicant for correction JUL -9 1918  
Corrected application filed

The undersigned The Gerlach Live Stock Company  
Name of applicant.  
of Gerlach, County of Washoe,  
State of Nevada, hereby makes application for  
permission to appropriate the public waters of the State of Nevada,  
as hereinafter stated. (If applicant is a corporation give date and  
place of incorporation.)

1. The source of the proposed appropriation is Cottonwood Creek  
Name of stream, lake, or other source.

2. The amount of water applied for is 4.4. second-feet.  
One second-foot equals 40 miners' inches.

3. The water to be used for Irrigation, power, mining, manufacturing, domestic, or other use.

4. The water is to be diverted from its source at the following  
point: APPLICATION FOR PERMISSION TO CHANGE THE PLACE AND MANNER  
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land it should be so stated.  
OF USE OF WATER GRANTED UNDER PERMITS NOS. 2010 and 2579  
SEE SUPPLEMENTAL SHEET.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is \_\_\_\_\_  
(b) Description of land to be irrigated \_\_\_\_\_  
Describe by legal subdivision, or if on unsurveyed land it

should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

(c) Irrigation will begin about \_\_\_\_\_ and end about \_\_\_\_\_  
Month.  
\_\_\_\_\_, of each year.  
Month.

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE  
FOLLOWING INFORMATION:

- (d) Power to be developed is \_\_\_\_\_ horsepower.  
(e) Works to be located \_\_\_\_\_  
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.

(f) Point of return of water to stream \_\_\_\_\_  
Describe in same manner as point of diversion.

(g) Remarks \_\_\_\_\_

## DESCRIPTION OF PROPOSED WORKS

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water

is to be stored in reservoirs it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works

6. Estimated time required to construct works

7. Remarks

For use of applicant.

, Applicant.

By

Compared

This sheet inspected

, Engineer.

### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed \_\_\_\_\_ cubic feet per second.

Actual construction work shall begin on or before \_\_\_\_\_

Proof of commencement of work shall be filed before \_\_\_\_\_

Work must be prosecuted with reasonable diligence and be completed on or before \_\_\_\_\_

Proof of completion of work shall be filed before \_\_\_\_\_

Application of water to beneficial use shall be made on or before \_\_\_\_\_

Proof of the application of water to beneficial use must be filed with State Engineer on or before \_\_\_\_\_

WITNESS MY HAND AND SEAL this \_\_\_\_\_ day  
of \_\_\_\_\_

State Engineer.

AMENDED  
IN THE STATE ENGINEER'S OFFICE.

## APPLICATION FOR PERMISSION TO CHANGE THE PLACE AND MANNER OF USE.

Date of first receipt and filing in the State Engineer's office JUL -6 1918  
Returned to applicant for correction JUL -9 1918  
Corrected application filed JUL 17 1918

The undersigned, The Gerlach Live Stock Company, a corporation organized under the laws of the State of California, in 1892, authorized to do and doing business in the State of Nevada, post-office Gerlach, County of Washoe, State of Nevada, hereby makes application to change the place and manner of use of waters heretofore appropriated and beneficially used under applications and permits issued thereon, to-wit Nos. 2010 and 2579, as hereinafter shown.

1. The sources of the water supply of the proposed change of place and manner of use are - under permit 2010 the middle fork of Cottonwood Creek in the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 3, T. 34 N. R. 22 E., and under permit 2579 north fork of Cottonwood Creek in the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 34, T. 35 N. R. 22 E.

2. The quantity of water desired to be changed is 4.4 cubic feet per second, being the aggregate of the amount awarded under said permit No. 2010 awarding 1.2 cubic feet per second and under permit No. 2579 awarding 3.2 cubic feet per second, said permits having been issued respectively August 22, 1911 and February 2, 1914.

3. The water is to be used for irrigation.

4. The water is to be diverted from its source at the following points: From the north fork of Cottonwood Creek in the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 34, T. 35 N. R. 22 E., under permit 2579, and from the middle fork of Cottonwood Creek in the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 3, T. 34 N. R. 22 E., under permit No. 2010.

5. The existing points of diversion of water actually diverted under former appropriations, to-wit under permits Nos. 2010 and 2579, are the same as above described, to-wit from the middle fork of Cottonwood Creek in the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 3, T. 34 N. R. 22 E. under permit No. 2010 and from the north fork of Cottonwood Creek in the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 34 T. 35 N. R. 22 E., under permit No. 2579.

The former place of use under said appropriations, to-wit permits Nos. 2010 and 2579, until all rights under said permits are transferred and assigned in February 1916 by the applicant to the Gerlach Live Stock Company, was upon lands situated in Sections 27, 34 and 35 T. 35 N. R. 23 E., unsurveyed. The manner of use under said appropriations, to-wit permits Nos. 2010 and 2579, was by dam, across the channel or source of the natural water course, to divert the water therefrom into a ditch actually constructed and by said ditch water was diverted from the source and conveyed through said ditch and stored in a reservoir situated in the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 35 and NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 34, T. 35 N. R. 22 E., from which said reservoir said water so stored was diverted through and by means of a channel into the natural channel of Cottonwood Creek and conveyed through said natural channel to the lands above mentioned, situated in said Secs. 26, 27, 34 and 35, T. 35 N., R. 23 E.

6. The water herewith desired to be changed has been beneficially and continuously used and proposed to be used upon the following described lands: SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 26; S $\frac{1}{2}$  of the NE $\frac{1}{4}$  and SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 27; E $\frac{1}{2}$  of NE $\frac{1}{4}$ , E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec. 34; NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , S $\frac{1}{2}$  of NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , W $\frac{1}{2}$  of SE $\frac{1}{4}$  of NE $\frac{1}{4}$ ; and SE $\frac{1}{4}$  of Sec. 35, all in T. 35 N. R. 23 E., as is shown upon map of Cottonwood Reservoir Site filed under the above mentioned permits Nos. 2010 and 2579, from the time of the granting of said permits and the completion of works thereunder, until the transfer of the rights acquired under said permits to The Gerlach Live Stock Company in February, 1916; and since said assignment and transfer of water rights acquired by the applicants under said permits Nos. 2010 and 2579, have been stored in said reservoir and diverted therefrom in the same way and manner as hereinabove mentioned and

described, and the water so diverted from said reservoir conveyed through said Cottonwood Creek to the lands of The Gerlach Live Stock Company and used thereon for the irrigation thereof in Secs. 2, 11, 12, 14, 13, 23 and 26 in T. 34 N. R. 23 E., and in Secs. 35 and 36, T. 35 N. R. 23 E., the total acreage of land to be thus irrigated at the changed place of use being an aggregate of about 1000 acres.

7. The number of acres heretofore irrigated or proposed to be irrigated under said permits 2010 and 2579 is about 550 acres.

8. The number of acres proposed to be irrigated is about 1000 acres.

9. The description of the land proposed to be irrigated is as follows: Portions of the E $\frac{1}{2}$  of the NW $\frac{1}{4}$  and the NE $\frac{1}{4}$  and NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  and S $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Sec. 2; S $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Sec. 11; S $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Sec. 12; NE $\frac{1}{4}$  and SE $\frac{1}{4}$  of Sec. 14; W $\frac{1}{2}$  of the W $\frac{1}{2}$  of Sec. 13; E $\frac{1}{2}$  of Sec. 23; N $\frac{1}{2}$  of the NE $\frac{1}{4}$  of Sec. 26, all in T. 34 N. R. 23 E., M. D. M.; SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 35; S $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Sec. 36, all in T. 35 N. R. 23 E., M. D. M., aggregating about 1000 acres.

10. Description of proposed works; Water from the two sources is to be diverted by means of a dam and conveyed therefrom by means of a ditch and stored in the reservoir and thereafter diverted from said reservoir by means of a tunnel conveyed to Cottonwood Creek, a natural water course, thence down said creek to the lands to be irrigated; said dams, ditch, reservoir and tunnel, above mentioned, being the same hereinabove mentioned and described, all of which have heretofore and more than four years ago been constructed, used and operated under said permits Nos. 2010 and 2579, and used by The Gerlach Live Stock Company since February 1916, as hereinabove set forth.

In addition to the water granted under said two permits Nos. 2010 and 2579, it is proposed to store and impound in said reservoir all the water from the sources mentioned to the capacity of said reservoir, said water having been heretofore and more than twenty-five years prior to this time diverted and applied by The Gerlach Live Stock Company to the irrigation of its said lands in paragraph 9 hereof described.

11. The estimated cost of the proposed works is \$1000. Note: Amount stated is fixed by reason of the fact that ditches have all been constructed, that the ditch line diverting the water from the source to the reservoir in which the water is to be, as it has in the past been, stored, have heretofore and for many years last past been in existence and in actual use, as will more clearly appear from permits Nos. 2010 and 2579 and the map filed in connection therewith.

12. Estimated time to construct the works - one year.

13. Irrigation will begin about February 1st and end about October 1st of each year.

Remarks: The rights acquired by the respective applicants under applications and permits issued thereon Nos. 2010 and 2579 respectively were all transferred and assigned to The Gerlach Live Stock Company February, 1916. Prior to said assignment and transfer the water acquired under each of said permits above mentioned was diverted from the source and stored in the reservoir above referred to, and thereafter diverted therefrom and conveyed through the natural water course, Cottonwood Creek, to the lands of said original applicants situated in said Secs. 26, 27, 34 and 35, T. 35 N. R. 23 E. Since The Gerlach Live Stock Company acquired, as above stated and as shown in the record under each of said applications Nos. 2010 and 2579, all rights granted by virtue of the permits issued under said applications, it has continued to divert from the source and store in said reservoir all waters flowing in said source at the points of diversion by means of said dams and said ditch, which have heretofore and more than four years ago been constructed and after said water was so stored in said reservoir each season, drew the water from said reservoir through said tunnel into said natural water course, Cottonwood Creek, and has applied the same to beneficial use by the irrigation of its lands as hereinabove stated; that in addition to the water rights acquired by the applicant under said two permits Nos. 2010 and 2579 the said The Gerlach Live Stock Company has stored and impounded in said reservoir by means of said ditch of the waters flowing in said two sources to-wit north fork of Cottonwood Creek and middle fork of Cottonwood Creek, including water rights acquired under said permits and including water rights acquired by The Gerlach Live Stock Company and its predecessors in

interest more than 25 years ago and each and every year since and during the period of more than 25 years used for beneficial purposes.

It being the desire and intention by this application to have permit issued authorizing the diversion, storage and use by the means and in the manner as hereinabove set forth, in accordance with the statute in such case made and provided.

THE GERLACH LIVE STOCK COMPANY,  
Applicant.

By Cheney, Downer, Price & Hawkins,  
Attorneys

Compared: P. P. Jones  
This sheet inspected \_\_\_\_\_

Engineer.

Cancelled MAY 28 1942 because of failure  
of applicant to comply with the provisions of permit

[Signature] State Engineer

Compared P.P. Jones - 8/1

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all prior rights on the source. A standard headgate and weir must be installed at or near the point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water herein granted at any and all times. It is distinctly understood that applicant agrees to the terms herein contained.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.4 cubic feet per second.

Actual construction work shall begin on or before May 25, 1919.

Proof of commencement of work shall be filed before June 25, 1919.

Work must be prosecuted with reasonable diligence and be completed on or before May 25, 1920.

Proof of completion of work shall be filed before June 25, 1920.

Application of water to beneficial use shall be made on or before August 25, 1927. Proof of the application of water to beneficial use must be filed with State Engineer on or before September 25, 1927.

WITNESS MY HAND AND SEAL this 25th day of March, 1919.

*Seymour Case*  
State Engineer.

Proof of filing of Map JUN 23 1919

Map filed SEP 25 1919 (See #2010)

Proof of completion of work filed MAY 24 1920

trial  
3.